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December 13, 2005

**VIA FACSIMILE &  
FIRST CLASS MAIL**

John A.K. Grunert, Esq.  
Campbell Campbell Edwards & Conroy  
One Constitution Plaza, Third Floor  
Boston, MA 02129

**Re: Trans-Spec Truck Service, Inc. d/b/a/ Truck Service v. Caterpillar Inc.  
Civil Action No. 04-11836-RCL**

Dear John:

I understand Trans-Spec's expert Thomas Service was served with a deposition subpoena for December 27, 2005. Apparently, you did not see Mr. Samito's December 9, 2005 letter to you (a copy of the letter is attached) informing you that both of Trans-Spec's experts, Dr. Service and Dr. Ekchian will be available for deposition without the need of subpoena. In addition, Mr. Samito informed you that neither expert is available on the dates you proposed (on December 27, 2005 Dr. Service will in be in New York). Mr. Samito further stated he will provide you with dates for the depositions during January 2006. Mr. Service is available for deposition from January 17, 2006 through February 2, 2006.

Please let me know whether you agree to take Dr. Service's deposition on one of the proposed dates in January 2006 or if I will need to seek a protective order from the court.

Very truly yours,

  
Nancy M. Reimer

NMR/mm  
Enclosure

cc: Christian G. Samito, Esq.  
Kevin Kenneally, Esq.

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